

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking Adopting Rules To  
Account For The Consideration Received By  
Regulated California Electric And Natural Gas  
Utilities Under A Settlement With El Paso  
Natural Gas Company, et al.

Rulemaking 03-07-008  
(Filed July 10, 2003)

**ADMINISTRATIVE LAW JUDGE'S RULING  
ON COMMON OUTLINE  
FOR COMMENTS AND REPLY COMMENTS**

Initial comments on proposed ratemaking and accounting rules must be filed and served by August 4, 2003. Reply comments must be filed and served by August 14, 2003. (Order Instituting Rulemaking (OIR), mimeo., page 22.) This ruling directs parties to use the same outline for comments and reply comments, and other documents, to the fullest extent reasonably possible.

The use of the same outline promotes understandability, consistency and completeness. It also helps with the organization of replies to opening comments. Parties should use their best efforts to agree on the same outline for comments and reply comments. Parties should similarly use their best efforts to agree on a common outline for other documents and pleadings that may later be filed and served in this proceeding.

To facilitate the process, one of the five respondent utilities should take the lead to develop and serve a proposed outline. Respondent utilities should select a lead utility for this purpose among themselves, or may refer the matter to me if they are unable to make a selection.

Given the relative shortage of time, the lead utility should develop and serve the draft outline as soon as possible. Service should be by electronic mail on the same service lists as used to serve the OIR. (See OIR, Ordering Paragraph 3.) Paper service should be performed on the parties or counsel of record identified in Attachment A.

The transmittal message should state the date by which the lead utility would like to receive comments on the outline. The lead utility should incorporate comments and serve the final proposed outline, if one is agreed to, or the best compromise outline the lead utility is able to develop.

Parties need not agree on an outline, but must use their best efforts to attempt to reach agreement. Process Office will post the official service list on or after July 28, 2003. The lead utility should serve a copy of the final proposed outline on any party or person on the service list upon whom the final proposed outline was not served earlier.

**IT IS RULED** that respondent utilities shall select one respondent utility to take the lead to develop and serve a proposed outline for parties' use in submitting comments and reply comments. The lead utility shall incorporate comments on the outline, and circulate a final proposed common outline. Parties shall use their best efforts to agree on a common outline, and use a common outline for comments, reply comments, and other pleadings filed and served in this proceeding, to the fullest extent reasonably possible.

Dated July 18, 2003, at San Francisco, California.

/s/ BURTON W. MATTSON  
Burton W. Mattson  
Administrative Law Judge

**ATTACHMENT A**

**List of Parties and/or Their Counsel of Record**

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**(San Diego Superior Court)**

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**(END OF ATTACHMENT A)**

## **CERTIFICATE OF SERVICE**

I certify that I have by electronic mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Common Outline for Comments and Reply Comments on all parties on the following service lists with electronic mail addresses:

Application (A.) 02-11-017 (Pacific Gas and Electric Company  
general rate case-GRC)

A.02-05-004 (Southern California Edison Company GRC)

A.02-12-028 (San Diego Gas and Electric Company cost of  
service proceeding - COS)

A.02-12-027 (Southern California Gas Company COS)

A.02-02-012 (Southwest Gas Company GRC)

Rulemaking (R.) 01-10-024 (Electric Procurement)

R.02-01-011 (Direct Access Cost Responsibility Surcharge)

I certify that I have by regular mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Common Outline for Comments and Reply Comments on parties and/or counsel of record in natural gas anti-trust cases, JCCP Nos. 4221, 4224, 4226 & 4228 (San Diego Superior Court). (See Attachment A to the Ruling.)

Dated July 18, 2003, at San Francisco, California.

/s/ FANNIE SID

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Fannie Sid

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.